

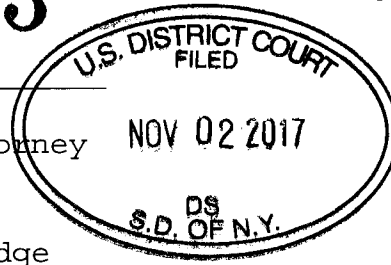
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ORIGINAL

Approved: _____

JACOB WARREN

Assistant United States Attorney



Before: HONORABLE BARBARA C. MOSES
United States Magistrate Judge
Southern District of New York

DOC # _____

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: COMPLAINT
UNITED STATES OF AMERICA :
: Violations of 21 U.S.C.
-v.- : § 841(a)(1) and
: (b)(1)(A)
FELIX CORTORREAL VASQUEZ, and :
ORLANDO GARCIA FERNANDEZ, : COUNTY OF OFFENSE:
: BRONX
Defendants. :
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SOUTHERN DISTRICT OF NEW YORK, ss.:

DREW GREELEY, being duly sworn, deposes and says that he is a Special Agent with the Drug Enforcement Administration ("DEA"), and charges as follows:

COUNT ONE

(Possession with Intent to Distribute a Controlled Substance)

1. On or about November 1, 2017, in the Southern District of New York, FELIX CORTORREAL VASQUEZ, the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

2. The controlled substance involved in the offense was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of 21 U.S.C. § 841(b)(1)(A).

(Title 21, United States Code, Section 841(a)(1) and (b)(1)(A).)

COUNT TWO

(Possession with Intent to Distribute a Controlled Substance)

3. On or about November 1, 2017, in the Southern District of New York, ORLANDO GARCIA FERNANDEZ, the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

4. The controlled substance involved in the offense was one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of 21 U.S.C. § 841(b)(1)(A).

(Title 21, United States Code, Section 841(a)(1) and (b)(1)(A).)

The bases for my knowledge and the foregoing charges are, in part, as follows:

5. I have been involved in the investigation of this matter, and I base this affidavit on that experience, as well as on my conversations with other law enforcement agents, and my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

6. Based on my conversations with law enforcement officers, my review of reports and records, my own surveillance, as well as my review of recorded phone calls, I have learned the following, in part:

a. On or about September 10, 2017, a Confidential Source ("CS-1")¹ called FELIX CORTORREAL VASQUEZ, the defendant, and had a recorded conversation with VASQUEZ regarding the

¹ CS-1 is currently charged with narcotics trafficking offenses in the Southern District of New York, and is cooperating with law enforcement in the hopes of obtaining leniency at sentencing. To date, the information provided to law enforcement by CS-1 has been reliable and corroborated by other evidence, including the narcotics seizures discussed herein.

purchase of multiple kilograms of heroin. During the call, VASQUEZ told CS-1, among other things, that: (1) the heroin is "A-1" quality, and (2) that VASQUEZ obtains a kilogram of heroin for "57" and sells them for "58."² CS-1 responded by offering to purchase "1" to start with, and VASQUEZ indicated that he was willing to sell more than that to start with.

b. On or about October 18, 2017, VASQUEZ and CS-1 agreed to meet at a location in the Bronx, New York in order for VASQUEZ to provide CS-1 with a sample of heroin (the "October 18 Meeting"). At the October 18 Meeting, which was audio recorded, VASQUEZ provided CS-1 with a small glassine bag containing a brown substance that was subsequently field tested and determined to contain a detectable amount of heroin.


c. On November 1, 2017, VASQUEZ and CS-1 agreed to meet at a location in the Bronx, New York where VASQUEZ would provide CS-1 with more than 1 kilogram of heroin for an agreed upon price (the "November 1 Meeting Location"). At the November 1 Meeting Location, VASQUEZ was arrested with approximately 1.6 kilograms of a brown substance in his possession that was subsequently field tested and determined to contain a detectable amount of heroin.

7. After FELIX CORTORREAL VASQUEZ, the defendant, was arrested on November 1, 2017, VASQUEZ was advised of his Miranda rights and subsequently agreed to waive those rights and cooperate with law enforcement. VASQUEZ informed me, in substance and in part, that he would be able to obtain another kilogram of heroin in short order from a source of supply. VASQUEZ then made a recorded phone call to an individual later identified as ORLANDO GARCIA FERNANDEZ, the defendant (the "November 1 Recorded Call"). On the November 1 Recorded Call, VASQUEZ asked FERNANDEZ to bring VASQUEZ one kilogram of heroin to the November 1 Meeting Location. Approximately 45 minutes after the November 1 Recorded Call, FERNANDEZ arrived at the November 1 Meeting Location in a cab. After FERNANDEZ got out of the cab, he was searched by law enforcement and had a brick of a brown substance stuffed in the front of his pants. The brown substance weighed approximately one kilogram and was subsequently field tested and determined to contain a detectable amount of heroin.


² Based on my training and experience, I believe that "57" is a reference to \$57,000 and "58" is a reference to \$58,000, i.e., the Target Subject makes \$1,000 for every kilogram of heroin he sells.

8. After ORLANDO GARCIA FERNANDEZ, the defendant, was arrested on November 1, 2017, FERNANDEZ was advised of his Miranda rights and subsequently agreed to waive those rights and speak with law enforcement. FERNANDEZ informed me, in substance and in part, that he obtained the kilogram of heroin from an unknown male in the vicinity of 175th Street in Manhattan.

WHEREFORE, deponent respectfully requests that FELIX CORTORREAL VASQUEZ and ORLANDO GARCIA FERNANDEZ, the defendants, be imprisoned or bailed, as the case may be.


DREW GREELEY
Special Agent
Drug Enforcement Administration

Sworn to before me this
2nd day of November, 2017


HONORABLE BARBARA C. MOSES
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK